



# The Gazette of Meghalaya

EXTRAORDINARY

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18<sup>th</sup> Bhadra, 1941 (S. E.)

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.102/LA/2019/3.** - The Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MEGHALAYA PRIVATE UNIVERSITIES (REGULATION OF ESTABLISHMENT AND MAINTENANCE OF STANDARDS) BILL, 2019

A

BILL

to provide for regulation of Private Universities in the State and for matters connected therewith.

Whereas the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Act, 2012 (Act No.8 of 2012), though in place, requires to be repealed and a new law be put in place for regulating the Private Universities and to ensure conformity with the observations of the Supreme Court in Prof. Yashpal versus State of Chhattisgarh and others.

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows: -

<b>Short title, Application and Commencement.</b>	<p>1. (1) This Act may be called the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2019.</p> <p>(2) It shall apply to -</p> <p>(a) all Private Universities established by or incorporated under a State Act passed by any State Legislature or Union Territory in India;</p> <p>(b) operating in Meghalaya including those set up in collaboration with Foreign University/Universities;</p> <p>(c) offering courses in the formal or non-formal; and</p> <p>(d) in the distance education mode.</p> <p>(3) It shall come into force with effect from the date of notification.</p>
<b>Definitions.</b>	<p>2. In this Act, unless the context otherwise requires, -</p> <p>(a) "Act" means the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Act, 2019;</p> <p>(b) "application fee" means amount, referred to in sub-section (4) of Section 3, deposited by the sponsoring body along with the proposal and project report to establish a university in private sector;</p> <p>(c) "off-campus center" means a center of the private university established by it outside the main campus (within or outside the state) operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;</p> <p>(d) "off-shore campus" means a campus of the private university established by it outside the country, operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;</p> <p>(e) "prescribed" means prescribed by rules made under this Act;</p> <p>(f) "Private university" means university duly established through a State Act by a sponsoring body viz. a Society registered under the Meghalaya Registration of Societies Act, 1983 or any other corresponding law for the time being in force in a State or a Public Trust or a Company registered under Section 25 of the Companies Act, 1956;</p> <p>(g) "State Government" means the State Government of Meghalaya;</p> <p>(h) "study center" means a center established and maintained or recognized by the university for the purpose of advising, counseling or for rendering any other assistance required by the students used in the context of distance education; and</p> <p>(i) "Student" means a person duly admitted and pursuing a programme of study.</p>
<b>Application for Establishment of Private Universities.</b>	<p>3. (1) An application in the prescribed format along with the letter of intent for establishment of a private university shall be submitted to the Government in the Education Department well in time before the date on which the sponsoring body proposes to establish such private university.</p> <p>(2) The application shall be duly acknowledged by the Director of Higher and Technical Education, Meghalaya.</p> <p>(3) The application shall be signed by such persons authorized to authenticate instruments on behalf of the sponsoring body.</p> <p>(4) An application fee (non-refundable) of rupees ten thousand only shall be enclosed with the application through a crossed account payee bank draft in</p>

favour of the Government of Meghalaya through the Director of Higher and Technical Education, Meghalaya, payable at Shillong. The money received on account of application fee shall be deposited by the Director of Higher and Technical Education in current account in a nationalized bank to be operated jointly by the Director of Higher and Technical Education and the Finance and Accounts officer of the Directorate.

- (5) Application for the establishment of the private university shall contain the project report with all relevant particulars and report including soft copies in a format to be, prescribed by the Department at the appropriate time.
- (6) On receipt of such application, Government shall cause necessary inquiry into the (a) Financial Capacity (b) antecedent (c) record, (d) reputation, (e) credentials and (f) experience of the proposed sponsor as an education service provider especially in the field of higher education so as to ensure that only capable and competent sponsors are allowed to operate in the State.
- (7) The Government has the right to reject an application for reasons as it deems justifiable. The sponsoring body may, however, apply afresh for a new or a modified project along with application fee, not later than 6 months from the date of rejection of previous proposal.
- (8) The State Government reserves the right to allow or disallow any proposal for change of sponsorship of Private Universities keeping in view (i) the effect of the proposed change on the academic and employment prospects of the students of the University, (ii) the advantages and disadvantages of dissolution of the University as compared to change of sponsorship, (iii) the possible reflection of dissolution or change of sponsorship on the image and reputation of the State in the field of education and (iv) possible disruption of programmes of studies and inconvenience to the students.

**Establishment and Representation in Private Universities.**

4. (1) Each private university shall be established by a separate State Act and shall conform to the relevant provisions of such State Act.
- (2) For a Private University established by a State Act and which is non-functional within 2 (two) years of establishment, any land allotted, whether privately owned or on lease or otherwise, will revert back to the owners(s)/lessee(s) on terms and conditions agreed upon.
- (3) A private university shall be a unitary university having adequate facilities for teaching, research, examination and extension services with no power of affiliation.
- (4) The Board of Governors of each Private University shall include two representatives of the State Government, one of whom should be an educationist of repute.
- (5) The Board of Management of each Private University shall include one representative to be nominated by the State Government.
- (6) Persons of the highest level of competence, integrity, morals and institutional commitment are to be appointed as Vice-Chancellors. The Vice-Chancellor to be appointed should be a distinguished academician, with a minimum of ten years of experience as Professor in a University system or ten years of experience in an equivalent position in a reputed research and/or academic administrative organization.
- (7) All degrees awarded by the Private University shall only be issued from its main campus.

**Programmes and Degrees.**

(8) The teachers of Private Universities shall be designated as Assistant Professor, Associate Professor and Professor in accordance with the UGC Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for The Maintenance of Standards in Higher Education, 2010.

(9) The Private Universities shall adhere to UGC Regulations in matters relating to pay and allowances.

5. A private university established under a State Act shall operate ordinarily within the boundary of the State concerned, subject to the following conditions, namely:-

(a) a private university shall fulfill the minimum criteria in terms of programmes, faculty, infrastructural facilities, financial viability as laid down from time to time by the UGC and other concerned statutory bodies to which it applies such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Distance Education Council (DEC), the Dental Council of India (DCI), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc;

(b) the courses of studies prescribed for a first degree and/or the postgraduate degree/diploma programmes should have been formally approved by the respective academic bodies of the private university, such as Board of Studies, Academic Council or Governing Council or Executive Council;

(c) the programme of study leading to a degree and/or a post graduate degree or diploma offered by a Private University shall conform to the relevant regulations or norms of the concerned Statutory Body as amended from time to time;

(d) a Private University shall provide all the relevant information relating to the first degree or diploma programme(s) including the curriculum structure, contents, teaching and learning process, examination and evaluation system and the eligibility criteria for admission of students to the Education Department, Government of Meghalaya on a Proforma prescribed by the UGC prior to starting of these programmes which the Government shall give due publicity by uploading the same on the Education Department Website, inviting representations and grievances, if any, from all concerned;

(e) the Education Department, Government of Meghalaya on detailed examination of the information made available as well as representation and grievances, if any, received by it from the students as well as concerned public relating to the deficiencies of the proposed programme(s) not conforming to various regulations and directions of the UGC and other Statutory Councils shall inform the concerned University about any such shortcomings in respect of conformity to relevant regulations for rectification. The University shall offer the programme(s) only after such rectification;

(f) the admission procedure and fixation of fees shall be in accordance with the norms or guidelines prescribed by the State Government and other concerned Statutory bodies; and

(g) relaxation of fees for poor SC/ST and meritorious students of the State is to be formulated by a separate policy of the private university in consultation with Government of Meghalaya.

**Acceptance and Rejection.**

6. (1) In case of acceptance or rejection of the application for establishment of a private university, the Government shall communicate the same formally.

- (2) In case of acceptance, the Government may take necessary steps to frame appropriate University Bill to be passed by the Meghalaya State Legislature.
- (3) When the formalities as per the relevant Act have been complied with, the sponsor shall procure land and have proper infrastructure including teaching staff as per the norms of the UGC or any other authority as the case may be without which they shall not start the University except with the specific permission given by the State Government.

**Endowment Fund.**

7. (1) The Endowment Fund in respect of each Private University in the form of an account payee cheque issued by a Scheduled Bank in favour of Director of Higher and Technical Education, Meghalaya shall be deposited by the concerned University with Director of Higher and Technical Education, Meghalaya.
- (2) The Directorate of Higher and Technical Education shall deposit the Endowment Fund received from the concern Private University in a scheduled Bank in a Fixed Deposit without delay and in any case not later than two working days after the receipt of the account payee cheque in his favour by the University.
- (3) Not exceeding 75% of the interest accruing from the Endowment Fund in the fixed deposit shall be used for the purpose of development work of the University, not less than 20% of such interest shall be reinvested in the Endowment Fund and 5% thereof shall be utilized by State Government for funding the Private Universities Regulatory Board set up as envisaged at Section 11 herein below.
- (4) In case the Private University or the sponsoring body contravenes any of the provisions of this Act, regulations or rules made there under, a part or the whole of endowment fund may be forfeited by the Government. However, before such forfeiture, the Government shall serve a show cause notice on the university or its sponsor and give them an opportunity to be heard.
- (5) The Government shall, among other things, duly consider the reply submitted by the sponsoring body or private university.
- (6) In case the reply to show cause notice issued under sub-section (4) is not submitted by the sponsoring body or by the Registrar of the university within 45 days of receipt of the notice, the Government may decide the case on an ex-parte basis.
- (7) The forfeited amount of endowment fund shall be used in the manner as specified in the relevant provisions of the governing Act.

**Inspection and Disclosure of Information.**

8. The State Government shall have the right to cause inspection of all records and premises of the university at any given time. In the event of the university violating conditions set forth in the relevant Act or in the event of the university deviating from norms and extant regulations laid down by the UGC, the State Government may call for all relevant information from the concerned private university in whatsoever form as may be prescribed at the relevant time.

**Consequences of Violations.**

9. (1) After inspection and assessment of a Private University providing first degree and/or post graduate degree/diploma courses, the Education Department, Government of Meghalaya may communicate to the private university any deficiency and non-conformity with the relevant Government regulations and give it reasonable opportunity to rectify the same. If the State Government, is satisfied that the private university has, even after getting an opportunity to do so, failed to comply with the provisions of any of the Regulations, it may pass an order prohibiting the private university from offering any course for

the award of the first degree and, or the post-graduate degree or diploma, as the case may be, till the deficiency is rectified.

- (2) Any private university, which has been notified before commencement of this Act, shall comply with the provisions of this Act within a period of three months from the commencement of this Act and intimate the compliance to the State Government.
- (3) The State Government may take necessary action against a Private University awarding a first degree and or post graduate degree or Diploma which are not specified by the UGC or any other concerned Statutory Council.
- (4) No private university established by an Act of a State Legislature other than the Meghalaya State Legislature shall be allowed to open any off-campus centre, study centre, Regional centre and other similar centres by whatever name called in the State of Meghalaya without the prior approval of the State Government of Meghalaya to whom they may apply for such permission on payment of a prescribed fee of Rupees ten thousand only:

Provided that any such University already having an off-campus centre etc., in Meghalaya prior to the coming into force of this Act, shall immediately apply to the State Government for *expost facto* permission.

- (5) The State Government shall not grant permission to any such Private University to set up any such centre as specified at sub-section (4) of Section 9 above unless , -
  - (a) the concerned University has been in existence for not less than a period of five years;
  - (b) it has developed its main campus; and
  - (c) it has obtained UGC's prior: approval to set up such centre in the State of Meghalaya.

The State Government reserves the right to reject any such application keeping in mind the academic welfare of the students of the State.

- (6) The State Government may take appropriate action against an off-campus centre, study centre, regional centre, and other similar centres by whatever name called of any private university set up on the strength of an Act passed by State Legislature other than the State Legislature of Meghalaya, if such centre is found not to have fulfilled the conditions prescribed in this Act including direction for the closure of such centre.
- (7) The State Government on the recommendation of the Regulatory Board specified under sub-section (1) of Section 11, impose penalties on any private university which awards any degree that does not conform to extant government regulations:

Provided no such penalty shall be imposed unless such private university is given a reasonable opportunity of being heard.

**Constitution of  
Meghalaya Higher  
Education Council.**

10. There shall be a Higher Education Council to be called the Meghalaya Higher Education Council for the purpose of assisting the Government on the matters of policy relating to development of higher education and maintaining of standards in higher education in the State of Meghalaya enacted under the Meghalaya Higher Education Council Act, 2018 (Act No. 3 of 2018).

**Constitution  
of Regulatory Board.**

11. The State Government shall constitute a Regulatory Board consisting of Chairman and three members to be nominated by the State Government from eminent educationists of repute or eminent persons with the vast

administrative experience to be specified under the rules. The terms of reference of the Board shall be as follows:-

- (a) to periodically inspect all Private Universities which have been set up in Meghalaya including study centre etc.;
- (b) to requisition any specific information from the institutions indicated at (a) above;
- (c) to call for reports from Directorate of Higher and Technical Education or directly from the Registrar of the concerned University which may be of academic nature and otherwise;
- (d) to ensure that quality education is imparted by these institutions as per the guidelines of the UGC or any Statutory Body/Regulatory Body under the control of Government;
- (e) the Regulatory Board shall have a permanent office with adequate staff with Headquarters at Shillong;
- (f) the members shall be entitled to such Honorarium, travelling allowances and daily allowances as shall be prescribed separately;
- (g) the Regulatory Board shall submit Annual Reports in respect of the Private Universities including those Universities having off campus centre/study centre/regional centre etc. functioning in the State. Such reports shall make specific recommendations for action/s to be taken by the Government including imposition of penalty as provided for any violation of relevant provisions laid down by Government; and
- (h) the Board shall bring any important development in respect of any Private University as it arises, to the notice of the Government.

**Power to make  
Rules.  
Repeal and  
savings.**

- 12. The State Government may make rules for carrying out the purposes of this Act.
- 13. (1) The Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 (Act No. 8 of 2012) is hereby repealed.  
(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the repealed Act shall be deemed to have been done or taken under the provisions of this Act.

### **STATEMENT OF OBJECTS AND REASONS**

The Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Bill, 2019 is proposed to repeal and replace the existing Act namely the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Act, 2012 (Meghalaya Act No. 8 of 2012).

This proposed Bill is required for regulating the Private Universities and to ensure that it is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal - versus - State of Chattisgarh. The provisions of this Bill is for regulating the Private Universities established under the Acts of the State Government and also other private universities offering courses in India in collaboration with foreign universities, formal and non formal or distance education made by such private universities to ensure that such private universities maintain the standard of infrastructures, teaching, research, examination and extension and services, fee structure, safeguarding the interest of the State as a whole and in particular of the student community.

Hence the Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### **FINANCIAL MEMORANDUM**

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.

### **MEMORANDUM OF DELEGATED LEGISLATION**

Clause 12 of the Bill empowers the State Government to make rules for carrying out the purposes of the enactment and the delegation is of normal character.





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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.103/LA/2019/3.** - The CMJ University (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE CMJ UNIVERSITY (AMENDMENT) BILL, 2019

A

BILL

to further amend the CMJ University Act, 2009 (Act No.4 of 2009).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows:

<b>Short title and Commencement.</b>	1. (1) This Act may be called the CMJ University (Amendment) Act, 2019.  (2) It shall come into force from the date of notification in the official Gazette.
<b>Amendment of Section 2.</b>	2. (1) The existing clause (iv) of Section 2 shall be deleted.  (2) In clause (xxv) of Section 2 the brackets and the words "or outside" appearing in between the words "within" and "the State" shall be omitted and for the word "compliment" the word "complement" shall be substituted.  (3) The existing clause (xxvii) of Section 2 shall be omitted.
<b>Amendment of Section 6.</b>	3. In the heading of Section 6 the words "and Affiliated Colleges" shall be omitted and the words ",Off-shore campuses" appearing therein shall be omitted.
<b>Amendment of Section 7.</b>	4. In clause (b) of Section 7 the words ",Off-shore campuses" appearing therein shall be omitted and the words "India and abroad" shall be substituted by the word "Meghalaya".
<b>Amendment of Section 8.</b>	5. (1) In clause (a) of Section 8 the words "and Off-shore campuses" appearing therein shall be omitted and the word "and" shall be inserted before the words "Off-campus Centres".  (2) In clause (g) of Section 8 the words "and Off-shore campuses located in India and abroad" shall be substituted by the words "located in Meghalaya" and the word "and" shall be inserted before the words "Off-campus Centres".  (3) In clause (h) of Section 8 the words "or a Off-shore campus" appearing therein shall be omitted.  (4) In clause (i) of Section 8 the words "India and abroad" shall be substituted by the word "Meghalaya".  (5) In clause (o) and (p) of Section 8 the words ",Off-shore campus" appearing therein shall be omitted.
<b>Amendment of Section 11.</b>	6. In sub-section (1) of Section 11 the words "Off-shore campus anywhere in India or abroad" shall be substituted by the words "in the State of Meghalaya".
<b>Amendment of Section 13.</b>	7. (1) After the existing clause (b) of sub-section (3) of Section 13, the following proviso shall be inserted, namely-  "Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government".  (2) After the new proviso to clause (b) of sub-section (3) of Section 13 a new sub-section (4) shall be inserted namely-  “(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor.”

<b>Amendment of Section 14.</b>	8.	The existing sub-section (1) of Section 14, shall be substituted by namely-  "(1) The Sponsor shall with the prior approval of the Visitor, appoint a person suitable as the Chancellor of the University."
<b>Amendment of Section 41.</b>	9.	The existing sub-section (4) of Section 41 shall be substituted by namely-  "Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time."
<b>Amendment of Section 48.</b>	10.	After the existing sub-section (4) of Section 48 a proviso shall be inserted, namely-  "Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangement for the affected students of the University, until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies".
<b>Amendment of Section 52.</b>	11.	The existing Section 52 shall be substituted by the following, namely-  "Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time."
<b>Savings.</b>	12.	Anything done or any action taken under the provisions of the Principal Act prior to this amendment shall remain valid unless revoked or annulled by the State Government.

### STATEMENT OF OBJECT AND REASONS

The CMJ University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the CMJ University Act, 2009 (Meghalaya Act No. 4 of 2009).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal – versus - State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No. 8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.



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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.105/LA/2019/3.** - The University of Science and Technology (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE UNIVERSITY OF SCIENCE AND TECHNOLOGY (AMENDMENT) BILL, 2019

A

BILL

to amend the University of Science and Technology Act, 2008 (Act No. 6 of 2008).

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth Year of the Republic of India as follows:-

<b>Short title and commencement.</b>	<p>1. (1) This Act may be called the University of Science and Technology (Amendment) Act, 2019.</p> <p>(2) It shall come into force from the date of notification in the official Gazette.</p>
<b>Amendment of Section 2.</b>	<p>2. The existing clause (v) of Section 2 shall be omitted.</p>
<b>Amendment of Section 4.</b>	<p>3. In sub-section (3) of Section 4 the words "India or abroad" shall be substituted by the word "Meghalaya".</p>
<b>Amendment of Section 6.</b>	<p>4. In the heading of Section 6 the words "and Affiliated College" appearing therein shall be omitted.</p>
<b>Amendment of Section 12.</b>	<p>5. (1) After the existing clause (b) of sub-section (3) of Section 12, the following proviso shall be inserted, namely-</p> <p>"Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government".</p> <p>(2) After the existing clause (c) of sub-section (3) of Section 12, a new sub-section (4) shall be inserted, namely-</p> <p>"(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor."</p>
<b>Amendment of Section 41.</b>	<p>6. The existing sub-section (4) of Section 41 Act, shall be substituted by namely-</p> <p>"Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time".</p>

- Amendment of Section 48.** 7. After the existing sub-section (4) of Section 48 the following proviso shall be inserted, namely-  
“Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangement for the affected students of the University until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies”.
- Amendment of Section 52.** 8. The existing Section 52 of the Principal Act, shall be substituted by namely-  
  
"Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time."
- Savings.** 9. Anything done or any action taken under the provisions of the Principal Act prior to this amendment shall remain valid, unless revoked or annulled by the State Government.

### STATEMENT OF OBJECT AND REASONS

The University of Science and Technology, Meghalaya (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the University of Science and Technology, Meghalaya Act, 2008 (Meghalaya Act No. 6 of 2008).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal – versus - State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc.

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No.8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**

Minister in-charge Education.

**ANDREW SIMONS,**

Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.





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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.107/LA/2019/3.** - The Mahatma Gandhi University (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MAHATMA GANDHI UNIVERSITY (AMENDMENT) BILL, 2019

A

BILL

to amend the Mahatma Gandhi University Act, 2010 (Act No. 6 of 2011).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows:-

<b>Short title and commencement.</b>	<p>1. (1) This Act may be called Mahatma Gandhi University (Amendment) Act, 2019.</p> <p>(2) It shall come into force from the date of notification in the official Gazette.</p>
<b>Amendment of Section 2.</b>	<p>2. (1) In the existing clause (xxiv) of Section 2 of the principal Act, the word "or outside" appearing therein shall be omitted and for the word "compliment" the word "complement" shall be substituted.</p> <p>(2) The existing clause (xxvi) of Section 2 of the Principal Act shall be deleted.</p>
<b>Amendment of Section 4.</b>	<p>3. (1) In sub-section (3) of Section 4 the words "India or abroad" appearing therein shall be substituted by the by the words "the State of Meghalaya".</p> <p>(2) After the existing sub-section (4) of Section 4, the following provisos shall be inserted, namely-</p> <p>"Provided that the approval of the competent Statutory council should first be obtained;</p> <p>Provided further that the University shall produce all necessary proof that such courses have been conducted especially in the online mode as may be required by any authority authorized by the Government for the purpose;</p> <p>Provided that the University shall not conduct in the online or distance mode any course which it does not offer through the regular face to face mode with a full complement of facilities, faculty and staff."</p> <p>(3) After the existing sub-section (5) of Section 4, the following proviso shall be inserted, namely-</p> <p>"Provided that the University shall produce all necessary proof that such examinations have been conducted especially in the online mode as may be required by any authority authorized by the Government for the purpose."</p>
<b>Amendment of Section 6.</b>	<p>4. (1) In clause (b) of Section 6 the words, "off-shore campuses" shall be omitted and for the words "India and abroad" the word "Meghalaya" shall be substituted.</p> <p>(2) In clause (c) and (m) of Section 6 the words "in India &amp; Abroad" and the words "in India and Abroad" appearing therein shall be omitted.</p>
<b>Amendment of Section 7.</b>	<p>5. (1) In clause (a) of Section 7 in between the word "campuses" and the words "off-campus" the word "and" shall be inserted and the words, "and off-shore campuses", appearing therein shall be omitted.</p> <p>(2) In clause (g) of Section 7 the words "affiliated colleges," and the words "and off-shore campuses located in India and abroad" shall be omitted.</p> <p>(3) In clause (h) of Section 7 for the words "or a Off-shore campus" appearing therein shall be omitted.</p> <p>(4) In clause (i) of Section 7 the words "in India and abroad" appearing therein shall be omitted.</p> <p>(5) In clause (o) of Section 7 the words "affiliated colleges," and the words "Off-shore campus," appearing therein shall be omitted.</p> <p>(6) In clause (p) of Section7 the words "affiliated college," and the words "Off-shore campus" appearing therein shall be omitted.</p>

- (7) The proviso to clause (zz) of Section 7 shall be deleted.
- Amendment of Section 10.** 6. In sub-section (1) of Section 10 the words "off-shore campus" shall be omitted and the words "India or abroad" shall be substituted by the word "Meghalaya".
- Amendment of Section 12.** 7. (1) After clause (b) of sub-section (3) of Section 12 the following proviso shall be inserted namely-
- "Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government."
- (2) After the new proviso to sub-section (3) of Section 12, a new sub-section (4) shall be inserted namely-
- "(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor."
- Amendment of Section 13.** 8. The existing sub-section (1) of Section 13 shall be substituted by namely-
- "(1) The sponsor shall with the approval of the Visitor, appoint the person suitable as the Chancellor of the University."
- Amendment of Section 21.** 9. (1) In clause (a) of sub-section (3) of Section 21 the words "and Off-shore campuses" appearing therein shall be omitted.
- (2) In clause (g) of sub-section (3) of Section 21 the words "and Off-shore campuses located in India and abroad" appearing therein shall be omitted.
- (3) In clause (h) of sub-section (3) of Section 21 the words "Off-shore campus" appearing therein shall be omitted.
- (4) In clause (i) of sub-section (3) of Section 21 the words "in India and abroad" appearing therein shall be omitted.
- (5) In clause (o) and (p) of sub-section (3) of Section 21 the words "Off-shore campuses" appearing therein shall be omitted.

### STATEMENT OF OBJECT AND REASONS

The Mahatma Gandhi University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the Mahatma Gandhi University Act, 2010 (Meghalaya Act No. 6 of 2011).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal – versus - State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No.8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**

Minister in-charge Education.

**ANDREW SIMONS,**

Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.



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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.108/LA/2019/3.** - The Martin Luther Christian University (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MARTIN LUTHER CHRISTIAN UNIVERSITY (AMENDMENT) BILL, 2019

A

BILL

to further amend the Martin Luther Christian University Act, 2005 (Act No. 11 of 2005).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows:-

<b>Short title and commencement.</b>	1. (1) This Act may be called the Martin Luther Christian University (Amendment) Act, 2019.  (2) It shall come into force from the date of notification in the official Gazette.
<b>Amendment of Preamble.</b>	2. In the Preamble of the Martin Luther Christian University Act, 2005.  The words "of the Union Evangelical Lutheran Church in India" shall be omitted and the word "by" shall be inserted between the words "sponsored" and "the National".
<b>Amendment of Section 2.</b>	3. The existing clause (iv) of Section 2 shall be deleted.
<b>Amendment of Section 4.</b>	4. In sub-section (3) of Section 4 for the words "in India or abroad" appearing therein shall be substituted by the words "in the State of Meghalaya".
<b>Amendment of Section 6.</b>	5. (1) In the heading of Section 6 the words "and Affiliated College" appearing therein shall be omitted.  (2) The existing sub-section (2) of Section 6 shall be omitted.
<b>Amendment of Section 7.</b>	6. In clause (b) of Section 7 the words "affiliate colleges and to" appearing therein shall be omitted.
<b>Amendment of Section 12.</b>	7. (1) After the existing clause (b) of sub-section(3) of Section 12 the following proviso shall be inserted, namely-  "Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government."  (2) After the new proviso to sub-section (3) of Section 12 a new sub-section (4) shall be inserted, namely-  "(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor."
<b>Amendment of Section 40.</b>	8. (1) In sub-section (1) of Section 40 the words "one crore" appearing therein shall be substituted by the words "two crore"  (2) The existing sub-section (4) of Section 4 shall be substituted namely-  "Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than

20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time."

**Amendment of  
Section 47.**

9. After the existing sub-section(4) of Section 47 the following proviso shall be inserted namely-

"Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangement for the affected students of the University until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies".

**Amendment of  
Section 51.**

10. The existing provision of Section 51 shall be substituted by the following, namely-

"Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time."

**Savings.**

11. Anything done or any action taken under the provisions of the principal Act prior to this amendment shall remain valid, unless revoked or annulled by the State Government.

### STATEMENT OF OBJECTS AND REASONS

The Martin Luther Christian University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the Martin Luther Christian University Act, 2005 (Meghalaya Act No. 11 of 2005).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal – versus - State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No. 8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.





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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.109/LA/2019/3.** – The William Carey University (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE WILLIAM CAREY UNIVERSITY (AMENDMENT) BILL, 2019

A

BILL

to amend the William Carey University Act, 2005 (Act No. 13 of 2005).

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth Year of the Republic of India as follows:-

<b>Short title and Commencement.</b>	1. (1) This Act may be called the William Carey University (Amendment) Act, 2019.  (2) It shall come into force from the date of notification in the official Gazette.
<b>Amendment of the Preamble.</b>	2. In the Preamble of the principal Act, for the words "ACTS Academy of Higher Education affiliated to ACTS Ministries Bangalore, India" appearing therein, the words "William Carey Foundation, B-52, Ramvatika, Post Chhani, District: Baroda, Village: Vadodara, Gujarat, India, 391740, a company incorporated under the Companies Act, 2013 (Act No. 18 of 2013) with the corporate identity number U80902GJ2017NPL100062" shall be substituted.
<b>Amendment of Section 2.</b>	3. (1) The existing clause (vi) of Section 2 shall be deleted.  (2) In clause (xxix) of Section 2, for the words "ACTS Academy of Higher Education affiliated to ACTS Ministries Bangalore, India" appearing therein, the words "William Carey Foundation, B-52, Ramvatika, Post Chhani, District: Baroda, Village: Vadodara, Gujarat, India, 391740" shall be substituted.
<b>Amendment of Section 4.</b>	4. (1) The existing sub-section (3) of Section 4 shall be substituted by the following, namely;  "The headquarters of University shall be in Ri-Bhoi district, Meghalaya and it may have campuses or Regional Centres, Study Centres anywhere in Meghalaya with prior approval of the UGC and the State Government."  (2) In the proviso of sub-section (3) of Section 4 the words "and/or off-shore campuses" shall be omitted and the words "and the State Government" shall be inserted in between the words "UGC" and "to" and the words "in Meghalaya" shall be inserted after the words "regional centres".
<b>Amendment of Section 6.</b>	5. (1) In the heading of Section 6 the words "and Affiliated Colleges" appearing therein shall be omitted.  (2) The existing sub-section (2) of Section 6 shall be deleted.
<b>Amendment of Section 7.</b>	6. In clause (b) of Section 7 the words "India and abroad" shall be substituted by the word "Meghalaya".
<b>Amendment of Section 8.</b>	7. In clause (f) of Section 8 the words "Affiliated colleges" and the words "located in India and abroad" shall be omitted and word "Meghalaya" shall be inserted between the words located in" and "in accordance".
<b>Amendment of Section 12.</b>	8. (1) After the existing clause (b) of sub-section (3) of Section 12, the following proviso shall be inserted, namely-  "Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government."  (2) After the new proviso of sub-clause (b) of sub-section (3) of Section 12 new sub-section (4) shall be inserted, namely -  "(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor."

- Amendment of Section 40.**
9. (1) In sub-section (1) of Section 40 for the words "The University shall be established an endowment fund of at least Rupees One Crore" appearing therein shall be substituted by the words "The University shall establish an endowment fund of at least Two crore".
- (2) The existing sub-section (4) of Section 40, shall be substituted by, namely-
- "Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time".
- Amendment of Section 47.**
10. (1) In sub-section (4) of Section 47 the words "or other regulatory bodies" shall be inserted in between the words "UGC" and "make".
- (2) After the existing sub-section (4) of Section 47 the following proviso shall be inserted namely-
- "Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangements for the affected students of the University, until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies".
- Amendment of Section 51.**
11. The existing Section 51 shall be substituted as follows, namely-
- "Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time."
- Savings.**
12. Anything done or any action taken under the provisions of the Principal Act prior to this amendment shall remain valid unless revoked or annulled by the State Government.

**STATEMENT OF OBJECT AND REASONS**

The William Carey University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the William Carey University Act, 2005 (Meghalaya Act No. 13 of 2005).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal – versus - State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No. 8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.



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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

### NOTIFICATION

The 9<sup>th</sup> September, 2019.

**No.LB.98/LA/2019/3.** – The Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets (Amendment) Bill, 2019 introduced in the Meghalaya Legislative Assembly on the 6<sup>th</sup> September, 2019 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

### THE MEGHALAYA REGULATION OF THE GAME OF ARROW SHOOTING AND THE SALE OF TEER TICKETS (AMENDMENT) BILL, 2019

A

BILL

*further to amend the Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets Act, 2018 (Act No. 12 of 2018)*

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth year of the Republic of India as follows:-

- |                                     |  |
|-------------------------------------|--|
| <b>Short title and commencement</b> | 1. (1) This Act may be called the Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets (Amendment) Act, 2019.<br>(2) It shall come into force with immediate effect.  |
| <b>Amendment of Section 6</b>       | 2. In sub-section (1) of Section 6 of the Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets Act, 2018, for the words and figures "1000 feet or 300 meters", the words and figures "100 meters" shall be substituted.   |
| <b>Repeal and Saving</b>            | 3. (1) The Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets (Amendment) Ordinance, 2019 is hereby repealed.<br>(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the provisions of this Act. |

**STATEMENT OF OBJECTS AND REASONS**

WHEREAS it is deemed necessary to reduce the distance of an archery (Teer) counter from the existing minimum of 300 metres or 1000 feet from the nearest place of worship or educational institution as provided under sub-section (1) of Section 6 of the Meghalaya Regulation of the. Game of Arrow Shooting and Sale of Teer Tickets Act, 2018 to 100 metres considering that the existing provision has proved to be a hindrance to existing teer counters as practically either a place of worship or an educational institution or both exist(s) within the prescribed distance, therefore the proposal to amend the said sub-section (1) of Section 6 of the said Act.

Therefore this Bill.

**CONRAD K. SANGMA,**  
Chief Minister  
i/c Taxation Department.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The provisions of this Bill when enacted and enforced will be administered by the staff of the Taxation Department and no additional expenditure will be necessary for the purpose.

**THE MEGHALAYA REGULATION OF THE GAME OF ARROW SHOOTING AND  
SALE OF TEER TICKETS BILL, 2019**

**A**

**BILL**

Further to amend the Meghalaya Regulation of the Game of Arrow shooting and the Sale of Teer Tickets Act, 2018 (Act No. 12 of 2018).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth year of the Republic of India as follows:-

- |                                       |   |
|---------------------------------------|---|
| <b>Short title and commencement:-</b> | 1. (1) These Rules may be called the Meghalaya Regulation of the Game of Arrow Shooting and Sale of Teer Tickets (Amendment) Act, 2019.<br><br>(2) It shall come into force at once.  |
| <b>Amendment of Section 9.-</b>       | 2. In section 9 of the Meghalaya Regulation of the Game of Arrow Shooting and Sale of Teer Tickets Act, 2018, (hereinafter referred to as the principal Act), between the words "contained in the" and "license", the word "Forms" and the punctuation mark "," shall be inserted."   |
| <b>Addition of New Section 17 A.</b>  | 3. In the principal Act, after Section 17, new section 17 A shall be inserted as follows, namely, -<br><br><div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>"Power of the State Government to amend Forms</p> </div> <div style="width: 50%;"> <p>17A. If the State Government is of the opinion that it is expedient in the interest of general public so to do, it may, by notification in the Official Gazette, add to, or omit from or otherwise amend the Form and thereafter the Form shall be deemed to have been amended accordingly."</p> </div> </div> |

**STATEMENT OF OBJECTS AND REASONS**

WHEREAS it is deemed necessary to insert the word "Forms" in between the words "contained in the" and "license" and to insert the punctuation marked "," by amendment of the existing provision of Section 9 of the Meghalaya Regulation of the Game of Arrow Shooting and Sale of Teer Tickets Act, 2018 Act, to leave no room for ambiguity as to the power of the State Government to specify by Rules the particulars to be contained in the "Forms" and to enable the Government to add or delete any information required to be furnished in the application Form for Bookmaker License.

Hence, this Bill.

**CONRAD K. SANGMA,**  
Chief Minister  
i/c Taxation Department.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The provisions of this Bill when enacted and enforced will be administered by the staff of the Taxation Department and no additional expenditure will be necessary for the purpose.





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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9th September, 2019.

**No.LB.104/LA/2019/6.**—The Techno Global University (Amendment) Bill, 2019, introduced in the Meghalaya Legislative Assembly on the 6th September, 2019, together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE TECHNO GLOBAL UNIVERSITY (AMENDMENT ) BILL, 2019****A  
BILL**

to amend the Techno Global University Act, 2005 (Act. No. 5 of 2008).

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth Year of the Republic of India as follows :-

**Short title and commencement.**

1. (1) This Act may be called the Techno Global University (Amendment) Act, 2019.
- (2) It shall come into force from the date of notification in the official Gazette.

**Amendment of Section 2.**

2. (1) The existing clause (iv) of Section 2 shall be deleted.
- (2) In clause (xx) of Section 2 the words “or outside” appearing therein shall be omitted and the word “compliment” shall be substituted by the word “complement”.
- (3) The existing clause (xxii) of Section 2 shall be omitted.

**Amendment of Section 4.**

3. (1) In sub-section (3) of Section 4 for the words “India or abroad” shall be substituted by the word “Meghalaya” and the words “the respective State Governments, the Government of India and the Government of the Host Country as the case may be” shall be substituted by the words “and the State Government”.
- (2) In the proviso of sub section (3) of Section 4 the words “and/or Off-shore campuses” shall be omitted.

**Amendment of Section 6.**

4. (1) In the heading of Section 6 the words “and Affiliated College” appearing therein shall be omitted.
- (2) In sub-section (1) of Section 6 the words “Off-shore campuses” appearing therein shall be omitted.
- (3) The existing sub-section (2) of Section 6 shall be omitted.

**Amendment of Section 7.**

5. In clause (b) of Section 7 the words “Off-shore campuses” and the words “in India and abroad” appearing therein shall be omitted.

**Amendment of Section 8.**

6. (1) In clause (a) of Section 8 the words “and Off-shore campuses” appearing therein shall be omitted and in between the word “campuses” and the words, “Off-campus Centres” the word “and” shall be inserted.
- (2) In clause (g) of Section 8 the words “and Off-shore campuses located in India and abroad” appearing therein shall be omitted.
- (3) In clause (h) of Section 8 the words “or a Off-shore campus” appearing therein shall be omitted.
- (4) In clause (i) of Section 8 the words “in India and abroad” appearing therein shall be omitted.
- (5) In clause (o) and (p) of Section 8 the words “Off-shore campus,” appearing therein shall be omitted.

**Amendment of  
Section 11.**

7. In sub-section (1) of Section 11 the words “, Off-shore campus anywhere in India or abroad” appearing therein shall be omitted.

**Amendment of  
Section 13.**

8. (1) After the existing clause (b) of sub-section (3) of Section 13 the following proviso shall be inserted, namely -

“Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government”.

(2) After the new proviso to clause (b) of sub-section (3) of Section 13 a new sub-section (4) shall be inserted, namely -

“(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor.”

**Amendment of  
Section 14.**

9. The existing sub-section (1) of Section 14, shall be substituted by namely-

“The Sponsor shall with the prior approval of the Visitor, appoint the person suitable as the Chancellor of the University”.

**Amendment of  
Section 22.**

10. (1) In clause (a) of sub-section (3) of Section 22 the words “and Off-shore campuses” appearing therein shall be omitted.

(2) In clause (g) of sub-section (3) of Section 22 the words “and Off-shore campuses located in India and abroad” appearing therein shall be omitted.

(3) In clause (h) of sub-section (3) of Section 22 the words “Off-shore campus” appearing therein shall be omitted.

(4) In clause (o) and (p) of sub-section (3) of Section 22 the words “Off-shore Campuses” appearing therein shall be omitted.

**Amendment of  
Section 41.**

11. The existing sub-section (4) of Section 41 shall be substituted namely :-

“Not exceeding 75% of the income received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time”.

### STATEMENT OF OBJECT AND REASONS

The Techno Global University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the Techno Global University Act, 2005 (Act No. 5 of 2008).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court in case of Prof Yashpal - versus State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc.

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No. 8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

### FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.



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---

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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9th September, 2019.

**No.LB.106/LA/2019/5.**—The Institute of Chartered Financial Analysts of India University (Amendment) Bill, 2019, introduced in the Meghalaya Legislative Assembly on the 6th September, 2019, together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

## THE INSTITUTE OF CHARTERED FINANCIAL ANALYSTS OF INDIA UNIVERSITY (AMENDMENT) BILL, 2019

### A BILL

to amend the Institute of Chartered Financial Analysts of India University Act, 2005 (Act. No. 12 of 2005).

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth Year of the Republic of India as follows :-

- |                                      |  |
|--------------------------------------|--|
| <b>Short title and commencement.</b> | <p>1. (1) This Act may be called the Institute of Chartered Financial Analysts of India University (Amendment) Act, 2019.</p> <p>(2) It shall come into force from the date of notification in the official Gazette.</p>   |
| <b>Amendment of Section 2.</b>       | 2. The existing clause (iv) of Section 2 shall be deleted.   |
| <b>Amendment of Section 4.</b>       | 3. In sub-section (3) of Section 4, the words "India or abroad" shall be substituted by the word "Meghalaya".  |
| <b>Amendment of Section 6.</b>       | <p>4. (1) In the heading of Section 6 the words "and Affiliated Colleges" appearing therein shall be omitted.</p> <p>(2) The existing sub-section (2) of Section 6 shall be omitted.</p>   |
| <b>Amendment of Section 7.</b>       | 5. In clause (b) of Section 7 the words "India and abroad" shall be substituted by the word "Meghalaya".   |
| <b>Amendment of Section 8.</b>       | <p>6. (1) In clause (g) of sub-section (1) of Section 8 the words "affiliated colleges" and the words "located in India and abroad" appearing therein shall be omitted, and the word "and" shall be inserted between the words "Regional Centres" and "Study Centres".</p> <p>(2) In clause (i) of sub-section (1) of Section 8 the words "in India and abroad" appearing therein shall be omitted.</p> <p>(3) In clause (o) and (p) of sub-section (1) of Section 8 the words "affiliated colleges" appearing therein shall be omitted.</p>   |
| <b>Amendment of Section 12.</b>      | <p>7. (1) After the existing clause (b) of sub-section (3) of Section 12, the following proviso shall be inserted, namely :-</p> <p style="padding-left: 40px;">"Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission and any other matter involving the interest of the State Government shall be issued by the Visitor after due consultation with the State Government."</p> <p>(2) After the new proviso of clause (b) of sub-section (3) of Section 12, a new sub-section (4) shall be inserted, namely -</p> <p style="padding-left: 40px;">"(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the prior approval of the Visitor."</p> |
| <b>Amendment of Section 40.</b>      | 8. (1) The existing sub-section (1) of Section 40 the words "one crore" shall be substituted by the words "two crore".   |

(2) The existing sub-section (4) of Section 40 shall be substituted by the following, namely-

“Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time.”

**Amendment of  
Section 47.**

9. After the existing sub-section (4) of Section 47 the following proviso shall be inserted namely-

“Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangement for the affected students of the University until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies.”

**Amendment of  
Section 51.**

10. The existing Section 51 shall be substituted by the following, namely -

“Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time.”

**Savings.**

11. Anything done or any action taken under the provisions of the Principal Act prior to this amendment shall be valid unless revoked or annulled by the State Government.

**STATEMENT OF OBJECT AND REASONS**

The Institute of Chartered Financial Analysts of India University (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the Institute of Chartered Financial Analysts of India University Act, 2005 (Meghalaya Act No. 12 of 2005).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal -versus- State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No.8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.





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---

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9th September, 2019.

**No.LB.110/LA/2019/5.**—The Maharashtra Institute of Technology University of Meghalaya (Amendment) Bill, 2019, introduced in the Meghalaya Legislative Assembly on the 6th September, 2019, together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

## MAHARASHTRA INSTITUTE OF TECHNOLOGY UNIVERSITY OF MEGHALAYA (AMENDMENT) BILL, 2019.

### A BILL

to further amend the Maharashtra Institute of Technology University of Meghalaya Act, 2010 (Act. No. 3 of 2011).

Be it enacted by the Legislature of the State of Meghalaya on the Seventieth Year of the Republic of India as follows :-

<b>Short title and commencement.</b>	1. (1) This Act may be called the Maharashtra Institute of Technology University of Meghalaya (Amendment) Act, 2019.  (2) It shall come into force from the date of notification in the official Gazette.
<b>Amendment of Section 4.</b>	2. In the existing sub-section (18) of Section 4 of the principal Act, the words “/off-shore campus(es), Career Academy Centers and Affiliated colleges” shall be omitted.
<b>Amendment of Section 11.</b>	3. After the existing clause(b) of sub-section (3) of Section 11, the following proviso shall be inserted, namely-  “Provided that all such directions which may involve closure of the University or cancellation of degrees or stoppage of admission may be issued by the Visitor after due consultation with the State Government”.
<b>Amendment of Section 39.</b>	4. The existing sub-section (4) of Section 39 shall be substituted by the following, namely-  “Not exceeding 75% of the incomes received from the endowment fund shall be used for the purpose of development work of the University; not less than 20% of such incomes shall be reinvested in the endowment fund and 5% of such incomes shall be utilized by the State Government for funding the Private Universities Regulatory Board set up under the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time”.
<b>Amendment of Section 46.</b>	5. After the existing sub-section (4) of Section 46 the following proviso shall be inserted, namely-  “Provided if the University is dissolved at the instance of the Sponsor as provided in sub-section (1), making arrangement for the affected students of the University until the last batch of regular courses of studies of the University are completed, shall be the responsibility of the University in consultation with the UGC, AICTE and other Regulatory Bodies”.
<b>Amendment of Section 49.</b>	6. The existing Section 49 shall be substituted as follows, namely-  “Notwithstanding anything contained in this Act, the establishment maintenance of standards and any other matter concerning this University including constituent colleges, study centres and regional centres shall be subjected to the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 as amended from time to time and also to the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended from time to time and regulations and directions as may be issued by UGC and other Statutory Bodies and by the State Government from time to time.”
<b>Savings.</b>	7. Anything done or any action taken under the provisions of the Principal Act prior to this amendment shall remain valid unless revoked or annulled by the State Government.

**STATEMENT OF OBJECT AND REASONS**

Maharashtra Institute of Technology University of Meghalaya (Amendment) Bill, 2019 is proposed to amend the existing provisions of the principal Act that is the Maharashtra Institute of Technology University of Meghalaya Act, 2010 (Meghalaya Act No.3 of 2011).

This amendment Bill is proposed so that the Principal Act is in conformity with the observations of the Supreme Court passed in case of Prof Yashpal -versus- State of Chattisgarh. The provisions of this Bill is to provide law for regulating the Private Universities by amending the existing provisions on several matters dealing with affiliation of Colleges, off-campus Centre, outside the territorial jurisdiction of the State of Meghalaya, off-shore campuses etc..

This Bill will also be in compliance with the provisions of the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act 2012 (Meghalaya Act No.8 of 2012). The Act of 2012 is also proposed to be replaced by new bill namely the Meghalaya Private University (Regulation of Establishment and Maintenance of Standard) Bill, 2019.

Hence, this Bill.

**LAHKMEN RYMBUI,**  
Minister in-charge Education.

**ANDREW SIMONS,**  
Commissioner & Secretary,  
Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.



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# The Gazette of Meghalaya

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---

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9th September, 2019.

**No.LB.100/LA/2019/4.**—The Legislative Assembly of Meghalaya (Members' Pension) (Amendment) Bill, 2019, introduced in the Meghalaya Legislative Assembly on the 6th September, 2019, together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' PENSION)  
(AMENDMENT) BILL, 2019**

**A  
Bill**

further to amend, the Legislative Assembly of Meghalaya (Members Pension) Act, 1977

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth year of the Republic of India as follows :-

- |   |   |
|---|---|
| <b>1. Short title and commencement.</b>       | <p>1. (1) This Act may be called the Legislative Assembly of Meghalaya (Member's Pension) (Amendment) Act, 2019.</p> <p>(2) It shall come into force from the date of notification in the official Gazette.</p>   |
| <b>2. Amendment Section 3 of Act of 1977.</b> | <p>In the second proviso to Sub-Section (1) of Section 3, of the Legislative Assembly Meghalaya (Member's Pension Act 1977 (Meghalaya Act No. 6 of 1977) herein after known as the Principal Act, for existing words "Rupees One thousand" appearing therein, the words "Rupees Two thousand" shall be substituted.</p> |
| <b>3. Insertion of Section 4C</b>             | <p>After Section 4 B of the Principal Act, the following new section shall be inserted, namely :-</p> <p>"4C. Driver Allowance - An Ex-MLA shall be entitled to Driver Allowance of Rupees Ten Thousand only per month".</p>  |

**STATEMENT OF OBJECT AND REASONS**

The Legislative Assembly of Meghalaya (Members' Pension) (Amendment) Bill, 2019 is to enhance the Additional Pension from ₹ 1,000/- to ₹ 2,000/- per mensem, and to include a new provision with entitlement for Driver Allowance of ₹ 10,000/- per mensem to the Ex-MLAs. The proposed Bill is found to be reasonable and Commensurate with the prevailing economic conditions.

**PRESTONE TYNSONG,**

Deputy Chief Minister,

In-charge Parliamentary Affairs Department.

**ANDREW SIMONS,**

Commissioner & Secretary,

Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The Legislative Assembly of Meghalaya (Members' Pension) (Amendment) Bill 2019 is to enhance the Additional Pension, and to include entitlement for Driver Allowance to the Ex-MLAs. Therefore, this enhancement shall entail additional expenditure out of the Consolidated Fund of the State.



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---

## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 9th September, 2019.

**No.LB.95/LA/2019/4.**—The Meghalaya Electricity Duty (Amendment and Validation) Bill, 2019, introduced in the Meghalaya Legislative Assembly on the 6th September, 2019, together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE MEGHALAYA ELECTRICITY DUTY (AMENDMENT AND VALIDATION) BILL, 2019****A  
BILL**

further to amend, and clarify the Meghalaya Electricity Duty Act, (as adapted from the Assam Electricity Act No. XXX of 1964 and amended by .Meghalaya) and to validate certain actions;

Whereas under Article 246 of the Constitution of India, *read* with Entry 53 of List II of the Constitution of India, the States have the plenary power to impose taxes on the consumption or sale of electricity; and

Whereas in the year 1964, the Composite State of Assam enacted the Assam Electricity Duty Act, 1964 (which became effective in the full fledged State of Meghalaya vide the North Eastern Areas (Reorganisation) Act, 1972 (Central Act No. 81 of 1971) with certain modification and adaptations made by the Meghalaya Taxation Laws (Modifications) Act, 1972 (Meghalaya Act No. 1 of 1972) [hereinafter referred to as “the principal Act”] in order to levy a duty on the consumption of sale of electricity; and

Whereas in the Preamble of the principal Act, it has been unequivocally stated that, it has been enacted to levy a duty on the sale or consumption of electricity; and

Whereas clause (c) of sub-section (1) of Section 3 of the principal Act provides for levy of duty on captive consumption of electricity, *i.e.* on the consumption of electricity by a person generating it for own use or consumption; and

Whereas under sub-section (3) of Section 3 of the principal Act stipulates that the electricity duty under Section 3 shall be computed and levied on the basis of the monthly consumption as shown in the electricity consumption meter; and

Whereas the levy of electricity duty under clause (c) of sub-section (1) of Section 3 is and has always been on the consumption of electricity by a person generating it for own use or consumption; and

Whereas the consumption of electricity by the same person who generates it would be liable to be taxed under the statutory provisions enacted in terms of Entry 53 of List II of the Constitution of India; and

Whereas in a recent judicial pronouncement, it has been held by the Hon'ble High Court of Gauhati, that under clause (c) under sub-section (1) of Section 3 of the Assam Electricity Duty Act 1964 (which was adapted and amended by Meghalaya as stated above) is *ultra vires* to the Constitution of India and is beyond the legislative competence of the State; and

Whereas the Meghalaya Electricity Duty Act has been challenged in the Hon'ble High Court of Meghalaya and it is apprehended that the Hon'ble High Court may take a similar stance; and

Whereas it has become necessary to clarify beyond all doubts and declare that the levy of electricity duty under clause (c) of sub-section (1) of Section 3 read with sub-section (3) of Section 3 of the principal Act is and has always been on the consumption of electricity by the person generating it for own consumption; and

Whereas as a matter of abundant caution, it has also become necessary to validate all actions taken in terms of clause (c) of sub-section (1) of Section 3 of the principal Act;

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows, -



Short title and commencement.	<div>1. (1) This Act may be called the Meghalaya Electricity Duty (Amendment &amp; Validation) Act, 2019.</div> <div>(2) It shall come into force at once.</div>
Amendment of Section 3	<div>2. In the Meghalaya Electricity Duty Act (as adapted from Assam Electricity Duty Act, No. XXX, Of 1964) Act, for the existing clause (c) of sub-section (1), of Section (3), the following shall be deemed to have been substituted with effect from the 21<sup>st</sup> Day of January, 1972, namely:-</div> <div>“(c) Consumed by any person or any organization generating energy”.</div>
Validation	<div>3. Notwithstanding anything contained in any judgment, decree or order of any court or other authority to the contrary, electricity duty levied or collected as the electricity duty under the Meghalaya Electricity Duty Act, (adapted from Assam Electricity Duty Act, No. XXX of 1964) as amended from time to time, and all actions taken, things done, rules made, notifications issued or purported to have been taken, done, made or issued under the said Act shall, for all purposes, be deemed to be and to have always been validly levied, collected, taken, done, made or issued under the provisions of this Act, as if this Act were in force at all material times and accordingly,-</div> <div>(a) no suit or other proceeding shall be maintained or continued in, or before any Court, tribunal or other authority for the refund of any amount received or realized by way of such electricity duty;</div> <div>(b) no Court, tribunal or other authority shall enforce any decree or order directing the refund of any amount received or realized by way of such electricity duty;</div> <div>(c) any proceeding, act or thing which could have been validly taken, continued or done for the levy or collection of such electricity duty at any time under the provisions of the said Act but which not had been taken, continued or done, may be taken, continued or done.</div>
Repeal and Saving	<div>4. (1) The Meghalaya Electricity Duty (Amendment and Validation) Ordinance, 2019 (Meghalaya Ordinance No. 3 of 2019) is hereby repealed.</div> <div>(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been taken or done under the provisions of this Act.</div>

**STATEMENT OF OBJECTS AND REASONS**

It is necessary to amend the Meghalaya Electricity Duty Act, 1972 (Assam Act No. XXX of 1964 as adapted and amended by Meghalaya) to protect the financial interest of the state and for this purpose the draft Bill is placed before the State Legislature for passing of the same for notification as an Amendment Act after receiving the consent of the Governor.

**CONRAD K. SANGMA,**

Chief Minister

i/c Taxation Department

**ANDREW SIMONS,**

Commissioner & Secretary,

Meghalaya Legislative Assembly.

**FINANCIAL MEMORANDUM**

The provisions of this Amendment Act when enacted and enforced will be administered by the staff of the Taxation Department and no additional expenditure will be necessary for the purpose.